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3 UNITED STATES DISTRICT COURT
4 DISTRICT OF NEVADA

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6 Gallagher-Kaiser Corporation,

Case No. 2:14-cv-00869-GMN-DJA

7 Plaintiff,

ORDER

8 v.

9 Liberty Duct, et al.,

10 Defendants.
11

12 This matter is before the Court on Defendant/Third-Party Plaintiff's Counsel Eileen
13 Mulligan Marks's Motion to Withdraw as Counsel of Record (ECF No. 123), filed on May 17,
14 2021. Pursuant to Local Rule ("LR") IA 11-6, "[n]o attorney may withdraw after appearing in a
15 case except by leave of Court after notice has been served on the affected client and opposing
16 counsel." See LR IA 11-6(b). Having reviewed the motion, the Court finds that requirements of
17 LR IA 11-6(b) have been met. Ms. Marks indicates that Hartford Casualty Insurance Company
18 has advised it will no longer pay for the defense of Liberty Duct, LLC, thus resulting in an
19 unreasonable financial burden on The Marks Law Group, LLP. The Court will require that
20 Defendant/Third-Party Plaintiff Liberty Duct, LLC advise the Court if it will retain new counsel
21 by June 23, 2021 as it must retain new counsel if it intends to continue to litigate this matter. *See*
22 *United States v. High Country Broad.*, 3 F.3d 1244, 1245 (9th Cir. 1993) (per curiam); *In re Am.*
23 *W. Airlines*, 40 F.3d 1058, 1059 (9th Cir. 1994) (stating that "[c]orporations and other
24 unincorporated associations must appear in court through an attorney."). Filing a notice of new
25 counsel on or before June 23, 2021 is sufficient to comply with the Court's order. Failure to
26 respond may result in a recommendation to the United States District Judge assigned to this case
27 that dispositive sanctions be issued against Defendant/Third-Party Plaintiff Liberty Duct, LLC,
28 including dismissal of this action.

1 IT IS HEREBY ORDERED that Counsel Eileen Mulligan Marks' Motion to Withdraw as
2 Counsel of Record (ECF No. 123) is granted.

3 IT IS FURTHER ORDERED that Defendant/Third-Party Plaintiff Liberty Duct, LLC
4 shall have until June 23, 2021 to advise the Court if it will retain new counsel. Failure to notify
5 the Court as to their new representation may subject it to dispositive sanctions, including a
6 recommendation for dismissal of this action.

7 IT IS FURTHER ORDERED that the Clerk of the Court shall add the last known address
8 of Defendant/Third-Party Plaintiff to the civil docket and send a copy of this Order to
9 Defendant/Third-Party Plaintiff's last known address:

10 Liberty Duct, LLC
11 c/o Mr. Paul Wulfenstein
12 4031 Industrial Center Drive Suite 705
13 North Las Vegas, NV 89030

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15 DATED: May 26, 2021

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19 DANIEL J. ALBREGTS
20 UNITED STATES MAGISTRATE JUDGE
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